

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 23403 OF 2003

Dated: 25th July 2007

Between:

Neelima Times

...Petitioner

and

The Transport Commissioner, BRKR buildings,
Hyderabad & another

...Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 23403 OF 2003

ORDER:

The petitioner is a business firm. It owns several vehicles. The petitioner intended that one of the cars that may be purchased by it, must have the fancy number AP-31-AB-0001. On the one hand, it booked a Toyota Corolla car, with the dealer, and on the other, made a deposit of Rs.20,000/- with the 2nd respondent, for reserving the said number, in accordance with the rules in vogue, at that time. The 2nd respondent reserved the number for the petitioner. However, there was delay in delivery of the vehicle. Having waited for the stipulated time, the 2nd respondent cancelled the reservation of the number, made in favour of the petitioner. Thereafter, the number was allotted to another individual, by name Janapareddi Devi W/o. J.V.Rao. Petitioner Feels aggrieved by non-allotment of the reserved number to it.

The 2nd respondent filed a counter affidavit, narrating the relevant circumstances. It is admitted that the number, for which the petitioner deposited Rs.20,000/-, was reserved in its favour. It is stated that on account of the failure of the petitioner, to produce the vehicle within time, it was allotted to a different person.

Heard the learned counsel for the petitioner and learned Government Pleader for Transport.

The effort of the petitioner, to get a fancy number for the car purchased by it, did not fructify, on account of the delay in delivery of the car. No lapse can be attributed to the respondents, in this regard. The reservation of the number cannot be continued indefinitely. Having waited for the stipulated period, the respondents allotted it to the owner of another vehicle. Therefore, no illegality can be said to have taken place.

Learned counsel for the petitioner submits that the petitioner intends to avail the number in another series, in the office of the 2nd respondent, and the amount paid by it, on earlier occasion, may be given credit to. There cannot be any objection to it, inasmuch as the amount was not forfeited.

For the foregoing reasons, the writ petition is disposed of, directing that it shall be open to the petitioner, to apply for a number of its choice, in the series maintained by the office of the 2nd respondent, and in such an event, the amount paid by it for reserving the number AP-31-AB-0001 shall be given credit to.

In case, the petitioner seeks refund of the said amount, the respondents shall comply with the same, within four weeks from the date of such demand. There shall be no order as to costs.

25th July 2007

PAN